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U.S. Department of Justice



United States Attorney Eastern District of New York

EAG:EMN F.#2008R01634

271 Cadman Plaza East Brooklyn, New York 11201

May 19, 2011

By ECF and Hand

The Honorable Sandra L. Townes United States District Judge Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

Re: United States v. Bartolomeo Vernace, et al. Criminal Docket No. 11-005 (SLT)

Dear Judge Townes:

The government respectfully submits this letter in response to a point made in the May 13, 2011 letter filed by Mr. Corozzo, counsel for the defendant Robert Wehnert, in connection with the <u>Curcio</u> proceeding scheduled for May 20, 2011. With regard to the drug treatment matter concerning Anthony Ruggiano, Mr. Corozzo contends that he himself never "lied to the Court or made any misrepresentation concerning Mr. Ruggiano's drug history." (Letter at 3). Ruggiano does not contend otherwise.

The government further submits that it is premature and unnecessary at this juncture for the defendant to seek evidentiary rulings with regard to any testimony the government may offer through Ruggiano at trial, whether regarding drug treatment or other aspects of his prior relationship with Mr. Corozzo. The purpose of the instant proceeding is rather to

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fully inform the defendant of the potential conflicts that exist so that any waiver of those potential conflicts is knowing and intelligent.

Respectfully submitted,

LORETTA E. LYNCH United States Attorney Eastern District of New York

By: /s/
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cc: Joseph Corozzo, Esq. (via ECF)
 Morris Fodeman, Esq. (via ECF)
 Clerk of Court (SLT) (via ECF)